

Attorney Docket No. P12424

REMARKS/ARGUMENTS**1.) Claim Amendments**

The Applicants have amended claims 7-20, 22, 24, and 25; claims 1-6, 21, 23, and 26-30 have been canceled; and claims 31-35 have been added. Accordingly, claims 7-20, 22, 24, 25, and 31-35 are pending in the application. Favorable reconsideration of the application is respectfully requested in view of the foregoing amendments and the following remarks.

2.) Claim Rejections – 35 U.S.C. § 102(e)

In paragraphs 2-3 of the Office Action, the Examiner rejected claims 1-12, 15-19 and 22-30 under 35 U.S.C. § 102(e) as being anticipated by Jorgensen (US 6,680,922). Of these claims, claims 1-6, 23, and 26-30 have been canceled. The Applicants have amended the remaining claims to better distinguish the claimed invention from Jorgensen. Original independent claims 1, 26, 27, 28, and 29 have been rewritten as new claims 31, 32, 33, 34, and 35, respectively. Allowance of the amended and rewritten claims is respectfully requested.

Jorgensen discloses a method of operating virtual private networks (VPNs) over a wireless point-to-multipoint (PTMP) transmission system. Thus, Jorgensen discloses a communication system. This is quite different from the Applicants' claimed invention.

The Applicants' claimed invention is a method and system for controlling a physical transportation system that moves physical objects having mass and size such as packages, luggage, and the like from a sending station to a receiving station. The invention does this by setting up a communication network in which the nodes of the communication network correspond to the sending station, the receiving station, and physical routers in the physical transportation system. The invention routes a data packet through the communication network in accordance with a telecommunication protocol, converts information regarding the path of the data packet to routing parameters for the physical transportation system, and routes the physical object according to the routing parameters. This is completely different from Jorgensen's communication system.

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Claim 31 (replacing original claim 1) recites a method of controlling the transport of a physical object having mass and size from a sending station to a receiving station. The method includes providing a physical transportation network connecting the sending station and the receiving station. The physical transportation network includes a plurality of physical routers connected by a plurality of physical transportation links which physically transport the physical object from one physical router to another, wherein each physical router has a plurality of incoming and outgoing physical transportation links connected thereto. The method also associates a logical communication network with the physical transportation network. The logical communication network includes a plurality of logical routers connected by a plurality of communication links which transport data packets from one logical router to another, wherein each logical router has a plurality of incoming and outgoing ports connected to a plurality of communication links, and wherein the logical communication network and the physical transportation network have the same configuration, providing a one-to-one correspondence between the physical routers and the logical routers and between the physical transportation links and the communication links. The method also includes the steps of routing a data packet through the logical network from the sending station to the receiving station according to rules for handling and moving data packets in a telecommunication protocol; determining the path taken by the data packet; and transporting the physical object through the physical network from the sending station to the receiving station over a physical path corresponding to the path taken by the data packet through the logical network.

Jorgensen does not teach or suggest the recited method of controlling the transport of a physical object having mass and size. The Examiner pointed to Column 32, lines 56-57 of Jorgensen for showing the transport of a physical object. However, these lines recite only the transport of electronic signals (voice, data, and video traffic), not actual physical objects. There is no disclosure whatsoever in Jorgensen of a physical transportation network, or the step of associating the nodes of a communication network with the physical routers of the physical transportation network. Likewise, the remaining steps of the claimed invention, which result in routing the

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physical object on a physical path corresponding to the logical path of a data packet are not taught or suggested by Jorgensen.

Basis for new claim 31 is found in the originally filed specification in the following locations:

Page 1, lines 22-28: definition of physical object having mass and size;

Page 2, lines 1-2: invention relates to control mechanisms;

Page 2, lines 9-17: invention relates to package delivery systems;

Page 12, lines 14-16: telecommunication switching protocols are used to handle the distribution of physical packages; and

Page 14, line 26 through page 15, line 4: nodes in the communication network correspond to physical nodes in the physical transportation network.

For all the above reasons, the allowance of claim 31 is respectfully requested.

Claims 7-12, 15-19, 22, 24, and 25 depend from claim 31 and recite further limitations in combination with the novel elements of claim 31. Therefore, the allowance of claims 7-12, 15-19, 22, 24, and 25 is respectfully requested.

New claims 32-35 relate to original claims 26-29. New claims 32-35 recite limitations similar to claim 31 relating to the use of routing information in a communication network to control the physical transport of a physical object in a physical transportation network. The limitations of claims 32-35 are not taught or suggested by Jorgensen. Therefore, the allowance of claims 32-35 is respectfully requested.

3.) Claim Rejections – 35 U.S.C. § 103(a)

In paragraphs 4-5 of the Office Action, the Examiner rejected claims 13, 14 and 20 under 35 U.S.C. §103(a) as being unpatentable over Jorgensen in view of Doshi, et al. (US 6,529,499). However, like Jorgensen, Doshi discloses only a communication system, and therefore does not teach or suggest the claimed invention. Claims 13, 14, and 20 have been amended to depend from new claim 31. Therefore, the allowance of claims 13, 14, and 20 is respectfully requested.

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In paragraph 6 of the Office Action, the Examiner rejected claim 21 under 35 U.S.C. §103(a) as being unpatentable over Jorgensen in view of Penners, et al. (US 5,793,762). Claim 21 has been canceled.

4.) Prior Art Not Relied Upon

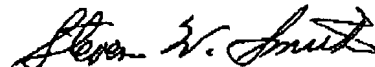
In paragraph 7 of the Office Action, the Examiner stated that the prior art made of record and not relied upon (Akhtar) is considered pertinent to the Applicants' disclosure. However, like the other cited references above, Akhtar discloses only a communication system, and therefore does not teach or suggest the claimed invention.

CONCLUSION

In view of the foregoing remarks, the Applicants believe all of the claims currently pending in the Application to be in a condition for allowance. The Applicants, therefore, respectfully request that the Examiner withdraw all rejections and issue a Notice of Allowance for claims 7-20, 22, 24, 25, and 31-35.

The Applicants request a telephonic interview if the Examiner has any questions or requires any additional information that would further or expedite the prosecution of the Application.

Respectfully submitted,



Steven W. Smith
Registration No. 36,684

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Ericsson Inc.
6300 Legacy Drive, M/S EVR 1-C-11
Plano, Texas 75024

(972) 583-1572
steve.xl.smith@ericsson.com

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